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September 18, 2013

Via ECF

Magistrate Judge James Orenstein  
United States District Court for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Phoenix Beverages, Inc. et al. v. Exxon Mobil Corporation et al.*, C.A. 12-CV-03771 (PKC) (JO); Third-Party Defendant Emhart Teknologies LLC's Request for Extension of Time to Respond to the Third-Party Complaint of Quanta Resources Corporation

Dear Magistrate Judge Orenstein:

I represent Third-Party Defendant Emhart Technologies LLC ("Emhart Technologies") in the above-entitled matter. In accordance with the rules of the Court, Emhart Technologies respectfully requests an extension of time until November 18, 2013 to answer, move, or otherwise respond to the third-party complaint filed by Third-Party Plaintiff Quanta Resources Corporation ("Quanta Resources") on July 1, 2013, and served upon Emhart Technologies on August 29, 2013.

Emhart Technologies' original deadline to respond is September 19, 2013. Emhart Technologies has not made any previous requests to extend its period to answer, move, or otherwise respond to the third-party complaint of Quanta Resources. Further, this request will not affect any other scheduled deadlines. Finally, Quanta Resources has consented to Emhart Technologies' proposed extension.

Based on the foregoing Emhart Technologies respectfully requests that the period within which it must answer, move, or otherwise respond to the third-party complaint of Quanta Resources be extended until November 18, 2013.

Respectfully submitted,



Jerome C. Muys, Jr., Esq.  
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Enclosure  
Cc: Counsel of Record (via ECF)

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

PHOENIX BEVERAGES, INC., RODB LLC,  
WINDMILL DISTRIBUTING COMPANY, L.P., UP  
FROM THE ASHES, INC., and other affiliated  
companies of PHOENIX BEVERAGES, INC.,

Case No. 1:12-CV-03771 (PKC)(JO)

Plaintiffs,

v.

EXXON MOBIL CORPORATION, EXXONMOBIL  
RESEARCH AND ENGINEERING COMPANY and  
QUANTA RESOURCES CORPORATION,

Defendants.

EXXON MOBIL CORPORATION and QUANTA  
RESOURCES CORPORATION,

Third-Party Plaintiffs,

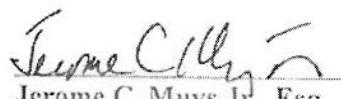
v.

ACE WASTE OIL, INC.; et al.

Third-Party Defendants.

**PROPOSED STIPULATION EXTENDING THIRD-PARTY DEFENDANT'S TIME TO  
ANSWER, MOVE, OR OTHERWISE RESPOND TO THIRD-PARTY PLAINTIFF'S  
COMPLAINT**

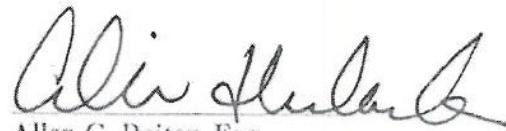
Third-Party Plaintiff Quanta Resources Corporation ("Quanta Resources") and Third-Party Defendant Emhart Technologies LLC ("Emhart") hereby stipulate that Emhart's time to answer, move, or otherwise respond to the Complaint of Quanta Resources dated July 1, 2013 shall be extended to November 18, 2013.



Jerome C. Muys Jr., Esq.

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Attorneys for Third-Party Plaintiff  
Quanta Resources Corporation

Dated: September 18, 2013

SO ORDERED:

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Magistrate Judge James Orenstein

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

PHOENIX BEVERAGES, INC., RODB LLC,  
WINDMILL DISTRIBUTING COMPANY, L.P., UP  
FROM THE ASHES, INC., and other affiliated  
companies of PHOENIX BEVERAGES, INC.,

Case No. 1:12-CV-03771 (PKC)(JO)

Plaintiffs,

v.

EXXON MOBIL CORPORATION, EXXONMOBIL  
RESEARCH AND ENGINEERING COMPANY and  
QUANTA RESOURCES CORPORATION,

Defendants.

EXXON MOBIL CORPORATION and QUANTA  
RESOURCES CORPORATION,

Third-Party Plaintiffs,

v.

ACE WASTE OIL, INC.; et al.

Third-Party Defendants.

**CERTIFICATE OF SERVICE**

I, Jerome C. Muys, Jr., Esq., do hereby certify that on September 18, 2013, I electronically filed and served the STIPULATION on the Clerk of the Court of the United States District Court for the Eastern District of New York and on all counsel of record using the CM/ECF system.

Respectfully Submitted,

  
Jerome C. Muys Jr., Esq.